

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

METROPOLITAN LLOYDS INSURANCE  
COMPANY OF TEXAS,

v.

DONALD WERKSTELL, KATHY  
WERKSTELL.

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Civil Action No. 4:16-CV-280  
(Judge Mazzant/Judge Nowak)

## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On September 27, 2016, the report of the Magistrate Judge (Dkt. #20) was entered containing proposed findings of fact and recommendations that Defendants Donald Werkstell and Kathy Werkstell's Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(1) and Brief in Support (Dkt. #5) be denied as moot.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendants Donald Werkstell and Kathy Werkstell's Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(1) and Brief in Support (Dkt. #5) is **DENIED AS MOOT**.

**IT IS SO ORDERED.**

**SIGNED this 25th day of October, 2016.**

A handwritten signature in black ink, reading "Amos Mazzant", is written over a horizontal line.

AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE